

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SECURITIES AND EXCHANGE COMMISSION, :

Plaintiff, :

v. :

AMIT MATHUR, RAJEEV JOHAR :
and ENTRUST CAPITAL MANAGEMENT, INC. :

Defendants, :

and :

AMR REALTY, LLC :

Relief Defendant. :

CIVIL ACTION
NO. 05-CV-10729 MLW

Joint Statement and Revised Proposed Discovery Plan

Pursuant to Fed. R. Civ. P. 26(f) and Local Rule 16.1, counsel for plaintiff United States Securities and Exchange Commission (the “SEC”), and counsel for defendants Amit Mathur, Rajeev Johar, and Entrust Capital Management, Inc. and Relief Defendant AMR Realty, LLC (“Defendants”) submit this Joint Statement and Proposed Discovery Plan.

I. Rule 26(f) Conference of the Parties

Pursuant to Fed. R. Civ. P. 26(f) and Local Rule 16.1(b), counsel for the SEC and defense counsel for Defendants have met and spoke on several occasions to discuss: (i) the nature and basis for their claims and defenses; (ii) the possibility for a prompt settlement or resolution of the case; (iii) to arrange for the disclosures required by Rule 26(a)(1); (iv) to develop a proposed pretrial plan for the case that includes a discovery plan; (v) to prepare an agenda of items to be discussed at the scheduling conference; and (vi) to consider whether they will consent to trial by

magistrate judge. Pursuant to Local Rule 16.1(c), the SEC has provided settlement proposals to each of the Defendants.

II. Proposed Schedule

The parties request that the Court adopt the following schedule, and have submitted herewith a proposed Scheduling Order using the Court's ordinary format that is consistent with the below dates:

EVENT	DATE
Defendants and Relief Defendant's Response to the Amended Complaint, including any Dispositive Motions, except Motions for Summary Judgment	October 14, 2005
Initial Disclosures	October 14, 2005
Completion of Fact Discovery	March 24, 2006
Plaintiff's Fed. R. Civ. P. 26 Expert Disclosures	April 28, 2006
Defendants' Expert Disclosures	June 2, 2006
Completion of All Discovery	July 28, 2006
Counsel confer and file a report as to prospectus for settlement and whether either party feels there is a proper basis for summary judgment.	September 1, 2006
Scheduling conference attended by trial counsel with full settlement authority, at which if necessary a schedule will be established for summary judgment motions.	September 5, 2006 at 10 a.m.
Final Pre-Trial Conference	September 11, 2006 at 10 a.m.
Trial	September 18, 2006

III. Trial By Magistrate

The parties are not willing to consent to a trial by magistrate judge.

IV. Depositions

The parties agree that for the purposes of the discovery the defendants and the relief defendant constitute a group of parties with a common interest and that the parties may depose each of the individuals and/or entities that invested with the defendants, the defendants, and up to ten other individuals or entities. The parties may serve discovery requests beyond these limitations with: (i) the assent of all parties, or (ii) the Court's approval.

V. Certifications

The SEC, through its undersigned counsel, certifies that it is aware of the potential costs that may be associated with this litigation and the availability of alternative dispute resolution procedures. Counsel for Defendants certify that they have conferred with their respective clients: (a) with a view to establishing a budget for the costs of conducting the full course - and various alternative courses - of this litigation; and (b) to consider the resolution of this litigation through the use of alternative dispute resolution programs such as those outlined in Local Rule 16.4. Defendants' signed certifications are going to be filed separately.

VI. Scheduling Conference

_____ All counsel are available between October 3 and October 6, 2005 to attend a scheduling hearing in this matter.

Respectfully submitted,

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Dated: September 19, 2005